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10 *Local Attorneys for Defendant Livemercial, Inc.*

11  
12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 SAN FRANCISCO DIVISION

15 EXPONENTIAL INTERACTIVE, INC.,

16 *Plaintiff,*

17 v.

18 LIVEMERCIAL, INC., and DOES 1 through  
10, inclusive,

19 *Defendants.*

Case No. CV 09-002649 JCS

**STIPULATION AND PROPOSED  
ORDER TO SET ASIDE THE DEFAULT  
OF LIVEMERCIAL, INC.**

**[FRCP 55(c); L.R. 77-2(b)]**

20 The parties, Exponential Interactive, Inc. and Livemercial, Inc., by and through their  
21 respective counsel, hereby stipulate as follows, subject to the Court's approval:

22 1. On August 18, 2009, the Clerk of the Court entered a default against Livemercial,  
23 Inc. upon the motion of the plaintiff.

24 2. The default entered against Livemercial, Inc. shall be set aside and vacated.

3. Livemercial, Inc. shall be granted an extension of time to appear and respond to the Complaint filed by Exponential Interactive, Inc., up to and including August 19, 2009.

**IT IS SO STIPULATED.**

Dated: August 19, 2009

STAHL COWEN CROWLEY ADDIS, LLC

By: /s/ Jereby P. Kreger  
Jeremy P. Kreger  
Attorneys for Livemercial, Inc.

Dated: August 19, 2009

By: /s/ Lee Hagelshaw  
Lee Hagelshaw  
Attorney for Exponential Interactive, Inc.

**[PROPOSED] ORDER**

Having reviewed the parties' Stipulation and Proposed Order to Set Aside the Default of Livemercial, Inc., and good cause appearing,

**IT IS HEREBY ORDERED:**

1. The default entered against Livemercial, Inc. is set aside.
2. Livemercial, Inc. is granted an extension of time to appear and respond to the Complaint filed by Exponential Interactive, Inc., up to and including August 19, 2009.

**IT IS SO ORDERED.**

Dated: August 20, 2009

~~RICHARD W. WIEKING, Clerk~~

